

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

**WISCONSIN CARPENTERS PENSION FUND,
WISCONSIN CARPENTERS HEALTH FUND,
NORTHERN WISCONSIN REGIONAL COUNCIL
OF CARPENTERS VACATION FUND,
NORTHERN WISCONSIN CARPENTERS
APPRENTICESHIP & JOURNEYMAN TRAINING FUND,
LABOR MANAGEMENT COOPERATION TRUST FUND,
CONTRACT ADMINISTRATION FUND,
NORTHERN WISCONSIN REGIONAL
COUNCIL OF CARPENTERS,
and BRIAN GENTRY,**

**WISCONSIN LABORERS HEALTH FUND,
WISCONSIN LABORERS PENSION FUND,
WISCONSIN LABORERS VACATION FUND
f/k/a KENOSHA LABORERS LOCAL 237 VACATION FUND,
WISCONSIN LABORERS LECET FUND,
WISCONSIN LABORERS DISTRICT COUNCIL,
and MICHAEL R. RYAN,**

**KENOSHA BUILDING & CONSTRUCTION TRADES
HEALTH FUND, KENOSHA LABORERS LOCAL 237
PENSION FUND, and STEVE REIMER,**

Plaintiffs,

vs.

Case No. 06-C-0550

**JOKIPII DEMOLITION LLC,
LARRY J. JOKIPII, and
MARY JOKIPII,**

Defendants.

ORDER FOR JUDGMENT AGAINST DEFENDANT LARRY J. JOKIPII

Request and application for default judgment brought by the Plaintiffs in the above-captioned action were submitted to the Court and filed with the clerk.

The Court, having duly heard all issues and a decision having been duly rendered, orders as follows:

1. Defendant Larry J. Jokipii has failed to plead or otherwise defend as provided by Rule 55(a) of the Fed. R. Civ. P.
2. Larry J. Jokipii is the owner and an agent of Defendant Jokipii Demolition LLC. Defendant Jokipii Demolition LLC failed to submit contributions to the Plaintiffs pursuant to collective bargaining agreement, as alleged by Plaintiffs' Complaint and documents filed against Jokipii Demolition LLC seeking default judgment. Those contributions are trust funds pursuant to Wis. Stats. §779.02(5). Plaintiffs' Complaint alleges Jokipii Demolition LLC received payment from the owners, mortgagees, prime contractors and/or subcontractors for work performed on various projects. Plaintiffs' Complaint further alleges that the payments received were used for purposes other than to pay the trust funds due the Plaintiffs. This results in a misappropriation of said trust funds. As the owner and an agent of Jokipii Demolition LLC and pursuant to Wis. Stats. §779.02(5), the misappropriation is chargeable to Defendant Larry J. Jokipii.
3. The court assesses the total damages in favor of the Plaintiffs and against Defendant Larry J. Jokipii in the sum of \$62,117.54. This judgment is joint and several in relation to any judgment in favor of the Plaintiffs against other Defendants.

IT IS HEREBY ORDERED that the Clerk of Court is directed to enter joint and several Judgment in favor of Plaintiffs, Wisconsin Carpenters Pension Fund, Wisconsin Carpenters Health Fund, Northern Wisconsin Regional Council of Carpenters Vacation Fund, Northern Wisconsin Carpenters Apprenticeship & Journeyman Training Fund, Labor Management Cooperation Trust Fund, Contract Administration Fund, Northern Wisconsin Regional Council of Carpenters, and Brian Gentry, Wisconsin Laborers Health Fund, Wisconsin Laborers Pension

Fund, Wisconsin Laborers Vacation Fund f/k/a Kenosha Laborers Local 237 Vacation Fund, Wisconsin Laborers LECET Fund, Wisconsin Laborers District Council, and Michael R. Ryan, Kenosha Building & Construction Trades Health Fund, Kenosha Laborers Local 237 Pension Fund, and Steve Reimer, and against Defendant Larry J. Jokipii in the amount of \$62,117.54 together with interest at the rate allowed by law.

Dated this 28th day of July, 2006

BY THE COURT

s/ Rudolph T. Randa
HON. RUDOLPH T. RANDA
U. S. District Court Judge